REMARKS

Claims 6 and 9 are pending and are unamended.

Claim Objections

The claim status for claim 6 was inadvertently listed as "Currently Amended" instead of "Previously Presented" in the previous response. The Examiner's understanding of the status is correct. A corrected listing of claims is provided in the current response.

Rejection under 35 U.S.C. § 102(e)

Claims 6 and 9 were rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Murren et al. (hereafter, "Murren."). Applicants respectfully traverse this rejection.

1. <u>Patentability of claim 6 over Murren</u>

Murren discloses a scheme that uses a set of pluggable rules to define low-level security rules in terms of high-level security concepts. The rules are part of a pluggable module that can interact with a business logic to provide different granularities of control.

In the outstanding Office Action, the Examiner highlights various text portions of Murren as allegedly disclosing certain limitations, as follows:

Claim limitation	Highlighted text portion of Murren
6(b): compiling software...associated with the identified application, standard or service and storing the compiled software in a host memory	Page 2, paragraphs [0023-0025] and [0030]
6(c) determining the utilization of hardware resources based on the compiled software	Page 2, paragraphs [0027] and [0030]

Referring to the software compiling limitations in claim 6(b), none of the text portions highlighted by the Examiner disclose or suggest <u>compiling</u> software. Paragraph [0023] of Murren describes the various types of client implementation (e.g., personal computers,

communications devices), but does not describe compiling any software. Paragraph [0024] of Murren describes various types of network implementations and configurations, but does not describe compiling any software. Paragraph [0025] of Murren describes various types of domains that can use the scheme (e.g., asset management domains, financial domains), but does not describe compiling any software. Paragraph [0025] also describes that the multi-layer architecture associated with the scheme resides and executes on one or more server computers. Executing software is different than compiling software. Paragraph [0030] of Murren describes how client requests are handled by the business logic layer, but does not describe compiling software. In sum, none of these text portions relate to compiling[1] software.

Referring to the "determining" limitations in claim 6(c), none of the text portions highlighted by the Examiner disclose or suggest making any determinations of hardware resource utilization based on compiled software. Paragraph [0027] of Murren provides examples of resources, but does not make any determinations of hardware resource utilization based on compiled software. Paragraph [0030] of Murren describes how client requests are handled by the business logic layer, but does not make any determinations of hardware resource utilization based on compiled software. In sum, none of these text portions describe the limitations in claim 6(c).

Nor do any other portions of Murren disclose or suggest compiling software.

For at least the reasons discussed above, claim 6 is believed to be patentable over the applied combination.

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[1] "compile" definition from http://www.webopedia.com, downloaded on June 8, 2005: To transform a program written in a high-level programming language from source code into object code. Programmers write programs in a form called source code. Source code must go through several steps before it becomes an executable program. The first step is to pass the source code through a compiler, which translates the high-level language instructions into object code.

The final step in producing an executable program -- after the compiler has produced object code -- is to pass the object code through a linker. The linker combines modules and gives real values to all symbolic addresses, thereby producing machine code.

2. Patentability of dependent claim 9

Claim 9 is believed to be patentable because it depends from allowable independent claim 6 and because it recites additional patentable features.

Conclusion

Insofar as the Examiner's rejection was fully addressed, the instant application is in condition for allowance. Issuance of a Notice of Allowability of all pending claims is therefore earnestly solicited.

Respectfully submitted,

PANGAN TING et al.

July 6, 2006
(Date)

By: Clark Jablon

CLARK A. JABLON
Registration No. 35,039
AKIN GUMP STRAUSS HAUER & FELD LLP
One Commerce Square
2005 Market Street - Suite 2200
Philadelphia, PA 19103
Direct Dial: (215) 965-1293
Facsimile: (215) 965-1210

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